

Docket No.: 0941-0767P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Bin-Chi CHIOU

Allowed: March 5, 2007

Application No.: 09/473,558

Confirmation No.:

Filed: December 29, 1999

Art Unit: 2616

For: ETHERNET SWITCH AND METHOD OF
SWITCHING

Examiner: R. K. Jain

COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE UNDER 37 CFR §1.104(E)

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the March 5, 2007 Notice of Allowance and Allowability regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

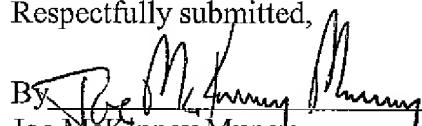
It is further noted that the Examiner has made an error in the statement with regard to the discussion of claim 1. In particular, the Examiner has indicated that the prior art "fails to disclose a switch device, connected to a plurality of network ports with a first and second memory control

devices..." This statement should instead read that the prior art "fails to disclose a switch device, connected to a plurality of network ports ~~with—and—a first and second memory control device~~..." Reference is made to the next to last paragraph of claim 1, which reads, "a switch device, connected to said plurality of network ports and said first memory control device..."

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: June 4, 2007

Respectfully submitted,

By 
Joe McKinney Muncy
Registration No.: 32,334
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant